



Michigan Supreme Court

State Court Administrative Office

Trial Court Services Division

Michigan Hall of Justice

P.O. Box 30048

Lansing, Michigan 48909

Phone (517) 373-4835

MEMORANDUM

DATE: August 31, 2006

TO: All Michigan Registers of Deeds
cc: Circuit and District Clerks of Court, Court Administrators, Probate Registers

FROM: Nial Raaen, Director

RE: Notice of Judgment Lien, MC 94

2004 Public Act 136, effective September 1, 2004, created a new statute and a process by which judgments of this state may be certified for purposes of filing with the Register of Deeds for the county in which real property is located.

MCL 600.2805 requires a clerk of a court that entered a judgment to certify a notice of judgment lien that has been filed with the court and that includes the following information:

- (a) The case caption and docket number.
- (b) The current name and address of the judgment creditor and, if the judgment creditor has an attorney, the attorney.
- (c) The name, last 4 digits of the social security or tax identification number, and last known address of the judgment debtor.
- (d) The current balance due on the judgment.
- (e) The date the judgment was entered, the expiration date of the judgment, and the expiration date of the judgment lien.
- (f) The signature of the judgment creditor or the judgment creditor's attorney.

In response to this new legislation, the State Court Administrative Office (SCAO) created a new form, Notice of Judgment Lien, MC 94. The current version of this form is effective March 2006 and is available at the SCAO website. This form was approved by a committee of judges, court administrators, county clerks, other trial court staff, SCAO staff, and Supreme Court counsel. The form must be signed by a deputy clerk of the court and must contain the court seal.

It has come to our attention that a few registers have refused to record a properly completed Notice of Judgment Lien if it does not contain additional certification stating that the document is a correct and true copy of, or a correct and complete document from, the original court

records. This additional requirement is not based upon statute and should be discontinued. The only statutory requirement of the clerk is to certify that a Notice of Judgment Lien has been filed with the court and that it includes all the information specified in MCL 600.2805(1).

In order to assure statewide uniformity of practice and to facilitate the prompt recording of Notices of Judgment Lien, we request that any additional requirement beyond what is specified in MCL 600.2805(1) be discontinued.

Questions may be directed to Amy Byrd, SCAO Forms Analyst, 517-373-4864; Dawn Childress, SCAO Circuit Court Analyst, 517-373-3756; or Sandi Hartnell, SCAO District Court Analyst, 517-373-0122.